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Attorneys for Creditor Credit Suisse AG, Cayman Islands Branch

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC, aka
 "Rhodes Homes," et al.,¹

Debtors.

Case No. BK-S-09-14814-LBR
 (Jointly Administered)

Chapter 11

**NOTICE OF HEARING ON MOTION TO
 COMPEL REIMBURSEMENT OF FEES
 AND EXPENSES PURSUANT TO
 CONFIRMATION ORDER AND CASH
 COLLATERAL ORDER**

Affects:

- ☒ All Debtors
☐ The following Debtor(s)

Date: June 21, 2010
 Time: 9:30 a.m.
 Judge: Honorable Linda B. Riegler

¹ The "Debtors" in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, a Nevada limited partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C&J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, LLC (Case No. 09-14882); Tuscany Golf Country Club (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

**NOTICE OF HEARING ON MOTION TO COMPEL REIMBURSEMENT OF FEES
AND EXPENSES PURSUANT TO CONFIRMATION ORDER AND CASH
COLLATERAL ORDER**

NOTICE IS HEREBY GIVEN that Credit Suisse AG, Cayman Islands Branch ("Credit Suisse"), formerly known as "Credit Suisse, Cayman Islands Branch," as agent under the first lien Credit Agreement Dated as of November 21, 2005, among Heritage Land Company, LLC, The Rhodes Companies, LLC, and Rhodes Ranch General Partnership, as the Borrowers, the Lenders Listed [Th]erein, as the Lenders, and Credit Suisse, Cayman Islands Branch, as Administrative Agent, Collateral Agent, Syndication Agent, Sole Bookrunner and Sole Lead Arranger (as amended, restated, amended and restated, supplemented, or otherwise modified from time to time, the "First Lien Credit Agreement," and the lenders thereunder, the "First Lien Lenders"),'s, Motion To Compel Reimbursement Of Fees And Expenses Pursuant To Confirmation Order And Cash Collateral Order [**Doc. 1143**] (the "Motion") was filed on May 24, 2010, by the law firm of Sylvester & Polednak, Ltd. The Motion seeks to direct the Reorganized Debtors to reimburse to Credit Suisse, pursuant to the Proposed Findings of Fact, Conclusions of Law, and Order Confirming the First Lien Steering Committee's Third Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for the Rhodes Companies, LLC, et al. [Docket No. 1053] and the Final Stipulated Order (I) Authorizing Use of Cash Collateral Pursuant to Sections 105, 361, 362 and 363 of the Bankruptcy Code and (II) Granting Adequate Protection and Super Priority Administrative Expense Priority to Prepetition Secured Lenders Re Debtors' Motion for Interim and Final Orders Pursuant to Sections 105, 361, 362, 363 and 364 of Debtors' Motion for Interim and Final Orders Pursuant to Sections 105, 361, 362, 363 and 364 of the Bankruptcy Code (A) Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors' Prepetition Secured Parties and (C) Scheduling a Final Hearing; Memorandum of Points and Authorities Filed by Zacariah Larson on Behalf of Heritage Land Company, LLC [Relates to Heritage Docket No. 35] [Docket No. 126], certain fees and expenses incurred by Credit Suisse and its professionals.

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1 A copy of the above-referenced Motion was filed with the Clerk of the U.S. Bankruptcy
2 Court for the District of Nevada and is available upon request from the undersigned attorney or
3 can be accessed on PACER at (<http://ecf.nvb.uscourts.gov>).

4 Any Opposition to the Motion must be filed and served pursuant to Local Rule
5 9014(d)(1), which provides as follows:

6 Except for those motions governed by Local Rule 9014(d)(3) and 9014 (d)(4),
7 any opposition to a motion must be filed, and service of the opposition must be
8 completed upon the movant no later than fourteen (14) days preceding the
9 hearing date for the motion. The opposition must set forth all relevant facts and
any relevant legal authority. An opposition must be supported by affidavits or
declarations that confirm to the provisions of Local Rule 9014(c).

10 If an objection is not timely filed and served, the relief requested may be granted
11 without a hearing. LR 9014(b)(1)(D) and LR 9014(d)(1).

12 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading
13 with the court. You must also serve your written response on the person who sent you this
notice.

14 If you do not file a written response with the court, or if you do not serve your written
15 response on the person who sent you this notice, then:

- 16 (a) The court may *refuse to allow you to speak* at the scheduled hearing; and
17 (b) The court may *rule against you* without formally calling the matter at the
hearing.

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1 NOTICE IS FURTHER GIVEN that a hearing on said Motion will be held before the
2 Honorable United States Bankruptcy Judge Linda B. Riegler, in the Foley Federal Building, 300
3 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada 89101, on the 21st day of June,
4 2010, at the hour of 9:30 a.m.

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6 DATED this 24th day of May, 2010.

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8 By: 

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